IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

WRIT PETITION NO.1283 OF 2005

Ramchandra Gopal Rane ..Petitioner.

Vs.

Shree Madhusudan Mills ..Respondents.

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Mr.P.M.Mokashi for the Petitioner.

Mr.V.P.Vaidya for Respondent No.1.

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CORAM : DR.D.Y.CHANDRACHUD, J.

3rd May, 2005.

P.C. :

The Petitioner got his date of birth corrected to 15th July, 1946 and on that basis the Industrial Court in its order dated 23rd September, 2004 directed the Respondent to allow the Petitioner to continue in service until 15th July, 2009 on which date he attains the age of 63. This is not the subject matter of challenge in these proceedings. Since the mill in which the Petitioner was employed has been closed by the

National Textile Corporation, the Petitioner has been transferred to Finlay Mills. The Industrial Court has declined to grant an interim injunction against the aforesaid order noting that under the scheme sanctioned by the B.I.F.R., transfer from one mill to another within the establishments of the National Textile Corporation (South Maharashtra) Limited was permissible. At this stage, since the Petitioner is being provided alternate employment by the National Textile Corporation on the same conditions of service, the interference of the Court under Article 226 particularly with an interim order is not warranted. The Petition is accordingly rejected.